

Title 20-A: EDUCATION
Chapter 113-A: REGIONAL EDUCATION COOPERATIVES

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Maine Revised Statutes
Title 20-A: EDUCATION
Chapter 113-A: REGIONAL EDUCATION COOPERATIVES

§2511. DEFINITIONS

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [2009, c. 154, §2 (NEW).]

1. Cooperative. "Cooperative" means a regional education cooperative formed pursuant to this chapter.

[2009, c. 154, §2 (NEW).]

2. Cooperative agreement. "Cooperative agreement" means an agreement between school administrative units that form a regional education cooperative to share the responsibility for and cost of the delivery of specified educational functions and support services in a region such as, without limitation:

A. Alternative education programs; [2009, c. 154, §2 (NEW).]

B. Special education programs or support services; [2009, c. 154, §2 (NEW).]

C. Public preschool programs or 2-year kindergartens pursuant to chapter 203; [2009, c. 154, §2 (NEW).]

D. Gifted and talented education programs pursuant to chapter 311; [2009, c. 154, §2 (NEW).]

E. Online learning and distance education programs; [2009, c. 154, §2 (NEW).]

F. Postsecondary education options pursuant to chapter 208-A; [2009, c. 154, §2 (NEW).]

G. Adult education programs pursuant to chapter 315; [2009, c. 154, §2 (NEW).]

H. Purchasing or contracting for goods or services; [2009, c. 154, §2 (NEW).]

I. Staff training or professional development; [2009, c. 154, §2 (NEW).]

J. Technology or technology support services; [2009, c. 154, §2 (NEW).]

K. Accounting, payroll and financial management; [2009, c. 154, §2 (NEW).]

L. Transportation routing and vehicle maintenance; [2009, c. 154, §2 (NEW).]

M. Food service planning and purchasing; and [2009, c. 154, §2 (NEW).]

N. Energy management and facilities maintenance. [2009, c. 154, §2 (NEW).]

[2009, c. 154, §2 (NEW).]

3. Cooperative board. "Cooperative board" means the governing body with the powers and duties set forth in this chapter for a regional education cooperative.

[2009, c. 154, §2 (NEW).]

SECTION HISTORY

2009, c. 154, §2 (NEW).

§2512. REGIONAL EDUCATION COOPERATIVES

The school boards of 2 or more school administrative units in existence as of July 1, 2009 may file an application to the commissioner for the purpose of entering a cooperative agreement to form a regional education cooperative. A cooperative is governed by a cooperative board formed and operating in accordance with this chapter. The participation of school administrative units in any of the specified educational functions or support services included in the cooperative agreement is voluntary. A cooperative board may designate school administrative unit personnel or service providers to provide the specified educational functions or support services included in the cooperative agreement. The cooperative board must include one school board member from each school administrative unit participating in the cooperative. The voting method established by the cooperative board may not include a method in which the board members cast weighted votes. The application for the cooperative must designate the lead school administrative unit for the cooperative. The superintendent of the lead school unit shall serve as a nonvoting, ex officio member of the cooperative board and shall administer the cooperative agreement and serve as fiscal agent for the cooperative board. [2009 , c. 154 , §2 (NEW) .]

SECTION HISTORY

2009 , c. 154 , §2 (NEW) .

§2513. APPLICATION; APPROVAL; RATIFICATION

1. Application. An application under section 2512 for a cooperative must be in a form and contain such information as required by the commissioner, including, but not limited to:

- A. The identification of the school administrative units that are applying to form the cooperative; [2009 , c. 154 , §2 (NEW) .]
- B. The identification of the lead school administrative unit; [2009 , c. 154 , §2 (NEW) .]
- C. The specified educational functions and support services to be provided by the cooperative, including the identification of the school administrative units that will participate in each specified educational function or support service and the number of students or staff to be served in each school administrative unit that is participating in each specified educational function or support service to be carried out by the cooperative; [2009 , c. 154 , §2 (NEW) .]
- D. The duration of the cooperative agreement; [2009 , c. 154 , §2 (NEW) .]
- E. The cost estimate or operational budget for the specified educational functions or support services to be carried out; [2009 , c. 154 , §2 (NEW) .]
- F. The method of providing the specified educational functions or support services and the designation of school administrative unit personnel or service providers who will provide the specified educational functions or support services; [2009 , c. 154 , §2 (NEW) .]
- G. The method of sharing costs among the school administrative units; and [2009 , c. 154 , §2 (NEW) .]
- H. The projected cost savings for the cooperative agreement and the method for redistributing cost savings among the school administrative units. [2009 , c. 154 , §2 (NEW) .]

[2009 , c. 154 , §2 (NEW) .]

2. Approval. If the commissioner finds that an application under section 2512 contains the information required to be submitted pursuant to subsection 1, the commissioner shall notify each school administrative unit participating in the cooperative agreement that, pending ratification as set forth in subsection 3, the cooperative is approved pursuant to this chapter. The commissioner shall keep a register of cooperatives that have been approved and ratified pursuant to this chapter.

[2009 , c. 154 , §2 (NEW) .]

3. School board ratification. If the commissioner finds that an application for a cooperative is approved pursuant to subsection 2, the cooperative must be approved by a majority of the members of the school board of each school administrative unit involved in the cooperative before the cooperative becomes effective.

[2009, c. 154, §2 (NEW) .]

SECTION HISTORY

2009, c. 154, §2 (NEW).

§2514. COOPERATIVE AGREEMENT

1. Duration of cooperative agreement. A cooperative agreement that has been ratified pursuant to section 2513 is valid for the fiscal year beginning July 1st following the ratification vote and ends June 30th of the calendar year that coincides with the expiration date included in the cooperative agreement.

[2009, c. 154, §2 (NEW) .]

2. Renewal of cooperative. A cooperative may be renewed only upon ratification by a majority of the members of each school board involved in the cooperative in accordance with this chapter.

[2009, c. 154, §2 (NEW) .]

SECTION HISTORY

2009, c. 154, §2 (NEW).

§2515. FINANCE

1. State-local allocation. Expenses incurred under a cooperative agreement may be reported by the participating school administrative units as per-pupil amounts not related to staffing in addition to the items listed in section 15680.

[2009, c. 154, §2 (NEW) .]

2. Administrative costs. Costs for carrying out a cooperative agreement must be shared in accordance with the terms of the cooperative agreement, but costs of administration of the cooperative may not exceed 10% of the total budget of the cooperative agreement.

[2009, c. 154, §2 (NEW) .]

3. Cost savings. School administrative units that enter into a cooperative agreement shall share any identified cost savings in accordance with the method for redistributing cost savings set forth in the cooperative agreement. For the purposes of this chapter, the cost savings achieved are those cost savings directly associated with the categories of the specified educational functions and support services carried out in a region in accordance with a cooperative agreement for the delivery of prekindergarten to grade 12 education when comparing the base year costs to the costs in the subsequent fiscal year and adjusting for inflation.

[2009, c. 154, §2 (NEW) .]

SECTION HISTORY

2009, c. 154, §2 (NEW).

§2516. EXISTING AGREEMENTS

A shared service agreement between 2 or more school administrative units established in accordance with former chapter 113 or an interlocal agreement between 2 or more school administrative units established in accordance with Title 30-A, chapter 115 may remain in effect after July 1, 2009. Notwithstanding any other provision of law to the contrary, a shared service agreement or interlocal agreement in existence on the effective date of this section may be extended or modified by the parties to the agreement. [2009 , c . 154 , §2 (NEW) .]

SECTION HISTORY

2009 , c . 154 , §2 (NEW) .

§2517. DEVELOPMENT OF INTERLOCAL AGREEMENTS

Nothing contained in this chapter may be construed to prevent a school administrative unit from entering an interlocal agreement in accordance with Title 30-A, chapter 115 with other school administrative units and, whenever possible, with local and county governments and State Government to achieve efficiencies and reduce costs in the delivery of specified educational functions or support services. [2009 , c . 154 , §2 (NEW) .]

SECTION HISTORY

2009 , c . 154 , §2 (NEW) .

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